

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**ZOOLOGICAL SUBDISTRICT OF )  
METROPOLITAN ZOOLOGICAL )  
PARK AND MUSEUM DISTRICT, )**

**Plaintiff,**

**vs.**

**DOUGLAS J. LEWIS,**

**Defendant.**

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) **Case number 4:06cv1250 TCM**  
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**ORDER**

By Order of July 3, 2007, the Court granted Plaintiff a permanent injunction in this case. Defendant timely appealed. On July 20, Plaintiff moved for an extension of time within which to file a bill of costs, explaining that they would "likely" seek recovery of their costs if Defendant was able to pay the fees associated with his appeal. Defendant proceeded in forma pauperis on his appeal. The Eighth Circuit Court of Appeals issued its mandate denying the appeal on October 28, 2008. Plaintiff has not pursued its request for costs. Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's motion for an extension of time is **DENIED** as moot. [Doc. 44]

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/s/ Thomas C. Mummert, III  
THOMAS C. MUMMERT, III  
UNITED STATES MAGISTRATE JUDGE

Dated this 20th day of February, 2009.